IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TENNESSEE EASTERN DIVISION

FARMERS MUTUAL OF)
TENNESSEE d/b/a FMT)
INSURANCE,	
Plaintiff,) Case No. 1:24-cv-01261-STA-jay
v.)
)
PROVIDENT TRUST GROUP, LLC)
(f/b/o MARYBETH HECKLER) and	
MARYBETH HECKLER,)
)
Defendants.)

ORDER GRANTING THE PARTIES' JOINT MOTION TO STAY (ECF NO. 19)

Before the Court is the parties' Joint Status Report and Moton to Stay (ECF No. 19) filed May 9, 2025. On April 8, 2025, Plaintiff Farmers Mutual of Tennessee reported as part of a show cause response that "counsel for all parties agreed to stay proceedings in the present action based on evidence that the underlying litigation [in state court] is likely to be resolved in favor of the Defendants on a dispositive motion in the near future." Pl.'s Show Cause Resp. 1 (ECF No. 15). The parties subsequently filed a stipulation that resolved the issues presented in a motion to dismiss for insufficient service of process filed by Defendant MaryBeth Heckler.

In their Joint Motion to Stay, the parties now request a 90-day stay of this action, pending the outcome of the underlying state court litigation. "The power to stay proceedings is incidental to the power inherent in every court to control the disposition of the causes in its docket with economy of time and effort for itself, for counsel and for litigants, and the entry of such an order ordinarily rests with the sound discretion of the District Court." *F.T.C. v. E.M.A. Nationwide, Inc.*, 767 F.3d 611, 626–27 (6th Cir. 2014) (quoting *Ohio Env't Council v. U.S. Dist. Court, S. Dist. of*

Ohio, E. Div., 565 F.2d 393, 396 (6th Cir. 1977)). Courts grant stays with caution because "a party has a right to a determination of its rights and liabilities without undue delay." Ohio Env't Council, 565 F.2d at 396. The Court's task is to balance the hardships for each party, which the Sixth Circuit has described as the "most important factor." E.M.A. Nationwide, 767 F.3d at 628. In addition, the Court "must also consider whether granting the stay will further the interest in economical use of judicial time and resources." Id. (citing Int'l Bhd. of Elec. Workers v. AT&T

Network Sys., No. 88–3895, 879 F.2d 864, 1989 WL 78212, at *8 (6th Cir. Jul. 17, 1989)). "[T]he

burden is on the party seeking the stay to show that there is pressing need for delay, and that neither

the other party nor the public will suffer harm from entry of the order." Id. at 627–28 (quoting

Ohio Env't Council, 565 F.2d at 396).

The Court finds that the parties have shown good cause for a brief stay of the action. The parties report that the state court litigation is likely to be decided on a pending dispositive motion. This suggests that a stay of this declaratory judgment action will conserve the resources of the parties and the Court. The Court will therefore stay the proceedings for 90 days from the entry of this order, that is, up to and including August 7, 2025. The parties are ordered to file a status report within 14 days of the state court's ruling on the pending dispositive motion and no later than August 7, 2025. As part of their status report, the parties should indicate whether they intend to proceed with this action and whether any party requests the setting of a scheduling conference. The Joint Motion to Stay is **GRANTED**.

IT IS SO ORDERED.

s/ S. Thomas Anderson S. THOMAS ANDERSON UNITED STATES DISTRICT JUDGE

Date: May 9, 2025